

HOUSE BILL REPORT

HB 2435

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to postelection audits.

Brief Description: Regarding postelection audits.

Sponsors: Representatives Miloscia, Armstrong, Hunt and Upthegrove.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/16/08, 1/22/08 [DP].

Brief Summary of Bill

- Standardizes procedures for all counties for random checks of ballot counting equipment.
- Requires that requested random checks be of a sufficient number of ballots to satisfy a statistical sampling formula established by the Secretary of State.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Kretz, Liias, Miloscia and Ormsby.

Staff: Marsha Reilly (786-7135).

Background:

In counties where poll site voting occurs, political party observers may choose up to three precincts for a manual count of any office or issue. In counties that count ballots at a counting center, the selection for the recount must be made at random on receipt of the ballots from the polling place. In counties using poll site ballot counting devices, the selections for a recount must be made no later than 30 minutes after the close of the polls and must be completed within 48 hours after the close of the polls.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In vote-by-mail counties, at the request of political party observers or at the discretion of the county auditor, a random check of the ballot counting equipment may be conducted. The check involves a comparison of a manual count to the machine count for up to three precincts or six batches, depending upon the ballot counting procedures of the county. The method for selecting the precincts or batches must be established by the county canvassing board and must be completed no later than 48 hours after election day.

Summary of Bill:

Procedures for random checks of ballot counting equipment are standardized. Upon mutual agreement of political party observers or at the discretion of the county auditor, a random check of the ballot counting equipment may be conducted and is limited to one office or issue on all ballots selected. The random check will consist of either three precincts or six batches of ballots, or a sufficient number of ballots to satisfy a statistical sampling formula established by the Secretary of State.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) In Whatcom County, all machine counts have matched the manual count. Six batches in some instances would be a very small number of ballots. Counties want more flexibility on the completion date. In King County, six batches is not a sufficient check and increasing the numbers will provide the confidence and trust necessary to satisfy voters. It also provides more transparency. As an example, California requires a 1 percent audit, which would be a sufficient number for King County. This is a good audit bill and was practiced before vote-by-mail. Sometimes political party observers are not available. The auditor needs the discretion to select precincts or ballots. Random checks are an important part of canvassing procedures.

(Opposed) None.

Persons Testifying: Representative Miloscia, prime sponsor; Shirley Forslof, Washington State Association of County Auditors; Sherril Huff, King County Elections; and Evelyn Arnold, Washington State Association of County Auditors.

Persons Signed In To Testify But Not Testifying: None.